

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Alexander LÜDEMANN et al.  
Title: METHOD FOR ANALYSING METABOLITES  
Appl. No.: 10/580,024  
International Filing Date: 12/17/2004  
371(c) Date: 09/05/2006  
Examiner: Unassigned  
Art Unit: 1743  
Confirmation Number: 7531

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

The listed documents were cited as being relevant during the prosecution of European patent application no. 04 804 051.3. A copy of the report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date

August 22, 2007

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By

Richard C. Peet

Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				<b>Application Number</b>	10/580,024
				<b>Filing Date</b>	12/17/2004
				<b>First Named Inventor</b>	Alexander LUDEMANN
				<b>Art Unit</b>	1743
				<b>Examiner Name</b>	Unassigned
<b>Sheet</b>	1	of	1	<b>Attorney Docket Number</b>	028622-0153

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	B1	van WINDEN et al., "Metabolic Flux and Metabolic Network Analysis of <i>Penicillium chrysogenum</i> Using 2D [ <sup>13</sup> C, <sup>1</sup> H] COSY NMR Measurements and Cumulative Bondomer Simulation," <u>Biotechnology and Bioengineering</u> , July 5, 2003, pp. 75-92, Vol. 83, No. 1, Wiley Periodicals, Inc.		
	B2	FIEHN, "Metabolomics – the link between genotypes and phenotypes," <u>Plant Molecular Biology</u> , 2002, pp. 155-171, Vol. 48, Kluwer Academic Publishers, The Netherlands		
	B3	CHRISTENSEN et al., "Metabolic Network Analysis of <i>Penicillium chrysogenum</i> Using <sup>13</sup> C-Labeled Glucose," <u>Biotechnology and Bioengineering</u> , June 20, 2000, pp. 652-659, Vol. 68, No. 6, John Wiley & Sons, Inc.		
	B4	TWEEDDALE et al., "Effect of Slow Growth on Metabolism of <i>Escherichia coli</i> , as Revealed by Global Metabolite Pool ("Metabolome") Analysis," <u>Journal of Bacteriology</u> , October 1998, pp. 5109-5116, Vol. 180, No. 19, American Society for Microbiology		

<b>Examiner Signature</b>	<b>Date Considered</b>
---------------------------	------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.